

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BRIAN WHITAKER,  
Plaintiff,

v.

PEET'S COFFEE, INC.,  
Defendant.

Case No. [21-cv-07698-VC](#)

**ORDER VACATING AWARD OF  
COSTS**

Re: Dkt. Nos. 49, 68

Because the Court decided this case was moot, Peet's is not the prevailing party, and costs should not have been awarded. Per the parties' agreement, the award of costs is vacated. An amended judgment will be entered.

**IT IS SO ORDERED.**

Dated: August 18, 2022

  
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VINCE CHHABRIA  
United States District Judge